

TPL 803

PARLIAMENTARY PROCEEDINGS

IN THE

SECOND SESSION

OF THE

Fourth Parliament

OF THE

PROVINCE OF UPPER CANADA.

1806.

A. S.

DOMINION OF CANADA

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IN THE

PROVINCIAL COURT

OF THE

Province of Ontario

IN THE

PROVINCIAL COURT

PARLIAMENTARY PROCEEDINGS.

ON Tuesday the 4th of February His Honor ALEXANDER GRANT Esquire, President, Administering the Government of the Province of Upper Canada, opened the Second Session of the Fourth Provincial Parliament with the following Speech :

*Honorable Gentlemen of the Legislative Council,
And Gentlemen of the House of Assembly,*

“ **B**Y the much lamented death of Lieutenant Governor Hunter, the Administration of the Government of this Province hath devolved on me :—I most sincerely condole with you on that melancholy event ; his faithful and meritorious Services to the Public, in this part of his Majesty's Dominions, will be long felt and remembered :—It shall be my endeavour to imitate and to follow his Example.

Since the last Session of this Legislature, Commissioners have been appointed, for carrying into effect the Provisions of an Act, for affording relief to those Persons, who may be entitled to claim Lands in this Province, as Heirs or Devisees of the Nominees of the Crown to such Lands ; I make no doubt, by the exertions and abilities of those Gentlemen, to whom that important trust is delegated, the Public will soon receive the most important Benefits from the operation of that salutary Law.

I forbear on the present occasion to point out particular Objects for your Deliberations, being convinced, that your knowledge of the respective situations of his Majesty's Subjects whom you here represent, will be the surest Guide to direct you, in the enacting of such Laws as still may be necessary for their Security and Comfort, (as well as in the continuing of Laws heretofore enacted, but now about to expire, whose beneficial effects we have already felt and experienced.)

Gentlemen of the House of Assembly,

I have ordered the Public Accounts to be laid before you, not doubting, but that you will pay that attention in the examination of them, which the nature of the subject requires.

*Honorable Gentlemen of the Legislative Council,
And Gentlemen of the House of Assembly,*

It is with the highest satisfaction that I congratulate you on the great Naval Victory, which lately hath crowned with success his Majesty's Arms; though our joy is not unmixed, as we have deeply to regret the loss of one of the bravest and most able Defenders of his King and of his Country.

May Great Britain, our Parent State, ever have such men to fight her Battles; and may she, by the Blessing of Providence, be enabled to defend herself and her widely extended Dominions from the assaults of her Enemies, and transmit her Territories with her invaluable Constitution, unimpaired, to the latest Posterity."

On Wednesday the 5th day of February, the Commons House of Assembly resolved itself into a Committee, to take his Honor the President's Speech into consideration, and agreed on the following Address, which was accordingly presented:—

To

To the Honorable ALEXANDER GRANT Esquire,
President, Administering the Government of the Pro-
vince of UPPER CANADA, &c. &c. &c.

MAY IT PLEASE YOUR HONOR,

WE his Majesty's dutiful and loyal Subjects
the Commons of Upper Canada in Parlia-
ment assembled, beg leave to present to you our gratu-
lations on your accession to the Administration of the
Government of this Province.

We affect not to describe to you the career in which
disinterested virtue may display itself, in exercising the
high prerogative of the Representative of a gracious and
benevolent Sovereign; but we cherish the fond hope,
that you, in your relation to Majesty, and from your ex-
perience in the public Concerns of this Country, will, in
the Administration of the Government of it, preserve
unfalsified this important trust.

We derive much pleasure from being informed that
the Act of the last Session of this Parliament "for afford-
" ing relief to those persons who may be entitled to claim
" Lands in this Province as Heirs or Devisees of the
" Nominees of the Crown, in cases where no Patent
" hath issued for such Lands," will, in its operation,
prove a salutary Law; as we feel impressed with the prin-
ciple, that the protection of the Subject and the security
of his Property, ought to be legibly evinced in every act
of legislation in which a regard to our happy Constitu-
tion can find either ascendancy or support.

We shall with cheerful assiduity devote our attention
to the Public Accounts, and shall feel ourselves happy in
submitting to you such observations as may be deemed
essential either in the retrenchment of the expenditure of
the

the public monies, or in devising the means of a more necessary application of them.

We feel more than ordinary pleasure in your Communication of his Majesty's late Naval Victory, and though we may much regret the fall of the illustrious Nelson in that Action, yet we cannot refrain from expressing in our sensations of joy :—May our Navy be permanent and its successes perpetual."

(Signed)

ALEXANDER MACDONELL, Speaker.

Commons House of Assembly,

6th February, 1806.

His Honor the President, was pleased to return the following Answer to the above Address :—

Gentlemen of the House of Assembly,

"I return you my best thanks for your respectful Address, and have no doubt, but that your deliberations and exertions will effectually promote the happiness and prosperity of his Majesty's Subjects in this Province."

On Monday the 10th day of February, the Commons House of Assembly resolved itself into a Committee, to take into consideration the State of the Province, and agreed upon the following Report :—

The Committee of the whole House on taking into consideration the State of the Province, have, pursuant to the Order of the House, proceeded to examine into the matters referred to their consideration, and have unanimously agreed upon the following Report, viz.—

RESOLVED, That it is the opinion of this Committee, that it is expedient that an Address be presented

to his Honor the President, praying that U. E. Loyalists applying for Grants of Lands, may be permitted to appear and locate Lands by Agents as heretofore ; and that the demand of extra fees, under the Table of Fees of January, 1804, be discontinued.

RESOLVED, That it is the opinion of this Committee, that it is expedient to recommend to the House, that an Address be presented to his Honor the President, praying that persons known by the description of Military Claimants, who have from inability of means, infirmity of health, or other untoward circumstances, been hitherto unable to make their Claims, or to procure Titles for Lands under the Proclamations made for that purpose, do now receive such quota or portion of Lands as they might have been entitled to receive had they made an early application, under such Privileges as Military Claimants originally obtained Grants of the Waste Lands of the Crown.

RESOLVED, That it is the opinion of this Committee, that the Roads through the greater part of this Province are in such a state, as that it is expedient to devise some means for the repair of them.

RESOLVED, That it is the opinion of this Committee, that Seminaries for the Education of Youth, are highly necessary in this Province.

The Commons House of Assembly on the 12th of February, appointed a Special Committee to prepare two Addresses to his Honor the President, upon the subject of the two first mentioned Resolutions in the above Report;

port, and the Committee having prepared and submitted the same to the House, they were presented to the President, and are as follow :—

To His Honor ALEXANDER GRANT Esquire, President, Administering the Government of the Province of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR HONOR,

WE His Majesty's dutiful and loyal Subjects the Commons of Upper Canada in Parliament assembled, taking into consideration the state of this Province, and having due regard to such means, as may tend to promote harmony and tranquility, amongst all descriptions of His Majesty's People; humbly beg leave to represent to you, that several Persons of the description of those who have adhered to the Unity of the Empire, and to whom, it has been held out, that, the Bounty of our most Gracious Sovereign, would be extended by Grant of a certain portion of Lands on applying for the same; are precluded from receiving his gracious favor, by reason of the difficulty of access to the Seat of Government at York, and of the expence of attending therein.

We therefore entreat you, that, you in your kind consideration for their situation, and in your laudable design of carrying the Royal Promise into effect, will dispense with their personal attendance, and permit them, by their Agents, to lay their claims before your Honor in Council, and also to do such further acts towards obtaining Grants for Lands through their Agents, as the exigency of their case may require.

We also, with all due respect, beg leave to represent to you that, the infant state of Wealth and Commerce in this Country, renders persons applying for Grants of Land, incapable

incapable of paying large fees for the same to the Land granting Department, and that, the additional fee required under the table of fees of the first of January, 1804, is incommensurate with their means and has caused much discontent.

We therefore entreat that you, in your solicitude for promoting the Welfare and Prosperity of all descriptions of his Majesty's dutiful Subjects, will, in your Council direct, that they may be relieved from the payment of this fee, or, that you will take such other measures for absolving them therefrom, as to you in your wisdom may seem meet."

Commons House of Assembly

13th February, 1806.

His Honor the President, was pleased to return the following Answer to the above Address:—

Gentlemen of the Commons House of Assembly,

"It is the Sum of the persons mentioned in one of the Addresses presented by you the 13th of this month, who are required, by the Regulations of the Executive Government of this Province, personally to appear, in order to obtain Grants of the Lands bestowed on them by the bounty of the Crown.

The frauds, for some time committed by the Agents of persons assuming that character, render the personal appearance of such Claimants, a measure of the highest expediency.

But as it is my wish to contribute to the ease and accommodation of his Majesty's Subjects in this Province of every description, as well, as at all times, to pay proper attention to your representations, I shall, aided by the advice of the Executive Council, take into consideration, whether the evils above stated may not be obviated

ted consistent with indulgence as to personal appearance, to the Sons of those persons who have adhered to the Unity of the Empire, whose local situations may render it difficult for them to comply with the above regulations.

The Table of Fees of the 9th January, 1804, is under the authority of Instructions of that date, communicated by one of his Majesty's principal Secretaries of State, to the late Lieutenant Governor."

To his Honor ALEXANDER GRANT Esquire, President, Administering the Government of the Province of UPPER CANADA, &c. &c. &c.

MAY IT PLEASE YOUR HONOR,

WE his Majesty's dutiful and loyal Subjects the Commons of Upper Canada in Parliament assembled, deeply impressed with sentiments of loyalty and attachment to his Majesty's Person and Government, and studious to devise such means as may induce discord or dissatisfaction to give place in every breast, to an unity of affection for the Common Father of his People; beg leave to represent to you that a number of persons under the description of Military Claimants, have, from inability of means, infirmity of health, or other untoward circumstances, been hitherto unable to make Claims or to procure Titles for Lands, under the Proclamations made for Compensating them in Lands for their Military Services.

We rest satisfied that, when we advert to the character of the Soldier, who exhausted his vigour and his years in the service of his King, and who fought, for nought but victory in the Battles of his Country, your feelings will be sufficiently aroused to his condition, and that you will extend to him as the reward of his zeal and loyalty, that bounty, which, was early intended by our Gracious Sovereign;

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vereign; and which neither time nor residence (much less poverty or distress) ought to suspend or diminish.

We therefore hope that you will, in your Council and Wisdom, grant to persons of this description (even at this late period) such quota or portion of Land as they might have been entitled to receive, had they made an early application, and under such privileges as Military Claimants formerly received Grants, of the Waste Lands of the Crown."

Commons House of Assembly,

February 13th, 1806.

His Honor the President, was pleased to return the following Answer to this Address :—

Gentlemen of the Commons House of Assembly,

I will take into serious consideration what is stated in your Address to me respecting Military Claimants, as no one can with more than I do, to contribute to the comfort and happiness of that highly meritorious class of individuals.

On Monday the 17th of February, the Commons House of Assembly appointed a Special Committee to examine the Public Accounts of the Province, and to make their Report thereon; and the Committee having afterwards made their Report, the same was accepted, and is as follows :—

The Committee appointed to examine the Public Accounts, and to Report thereon, have examined the same, and agreed upon the following Report, viz.

Your Committee have in the first place, examined the amount of the Duties on Stills, and also on Shop and Tavern Licences contained in the Supplementary Accounts of the year 1805 and not accredited in the Public Accounts of that year, as marked Nos. 1 & 2, and find, on comparing the same with the document marked No. 8, which has reference thereto, that a sum of $\text{yl. } 4\text{s. } 1\frac{1}{2}$ is short credited in the public accounts (the same, after deducting 10 per cent for the Inspectors) making

78 5 6 $\frac{1}{2}$

Your Committee have examined the duties on Stills, and also on Shop and Tavern Licences, and find on a calculation of the duties chargeable on the specific number of gallons set forth in the Account marked No. 9, and also of the number of Shop & Tavern Licences, that the same far exceeds the amount of the sum credited in the general Account of Receipts and Disbursements marked No. 12 (the same, after deducting 10 per cent for Inspectors) making

1092 5 11

Your Committee have examined the Accounts of Goods imported under authority of Acts of the Provincial Parliament, marked No. 5, and find the duties on the same to amount to the nett sum of

488 12 1 $\frac{1}{4}$

Your

Your Committee have examined the Account marked No. 6. relating to the like duties, and find the same to make 113l. 10s. 7d. $\frac{1}{4}$ sterling, equal to Provincial Currency

126 2 10 $\frac{1}{2}$

Your Committee have examined the Account marked No. 13, for Tonnage or Light House duty, and find the same to amount, exclusive of outstanding sums (though credited in the general Account but 79l. 8s. 0 $\frac{1}{2}$) to

96 8 6 $\frac{1}{2}$

Your Committee have examined the Account marked No. 14, for Fines and Forfeitures, & find the same to amount to

12 10 0

Your Committee have examined the Account marked No. 15, and find a sum for fines and forfeitures of 29l. 17s. 7 $\frac{1}{2}$ sterling making in Provincial currency

89 4 0

Your Committee have examined the Account marked No. 17, and find a balance of last year's funds remaining in the Receiver General's hands of

166 2 11 $\frac{1}{2}$

Your Committee have examined the same Account, and find a sum received from Lower Canada, under the Provisional agreement of both Provinces

1414 6 8

Your Committee find in the same a sum received from Mr. Bennett, Printer, of

61 16 5

Your Committee find in the same Account a payment received from Geo. Lutz for duties and arrears of duties on Stills

62 17 9 $\frac{1}{2}$

Your

Your Committee find the whole amount of the sums so received, for the year ending the 5th of February 1806 to amount to

363 9 92

Your Committee find the amount of the sums payable out of said fund under authority of the Parliament including £400 for public Buildings to be as follows: viz.

1789 1 01

Donald MacLean Esq.	125	0	0
Honble. Richard Cartwright	100	0	0
Honble. Robert Hamilton	100	0	0
Samuel Sherwood Esq.	100	0	0
James Clarke Esq.	25	0	0
George Laws Gentlemen	25	14	6
James Clarke	5	0	0
James Clarke	3	10	10 1/2
Donald MacLean	16	5	0
Do.	3	5	0
Do.	104	9	7
Do.	30	0	0
James Clarke	125	0	0
George Laws	50	0	0
David Burns Esq.	50	0	0
Revd. John Stuart	50	0	0
Hugh Mc. Lean	20	0	0
The Speaker of the Commons House of Assembly	100	0	0
Donald MacLean	125	0	0
Thos. Ridout Esq.	50	0	0
Revd. Robert Addison	50	0	0
Robert Johnson	20	0	0
Mr. John Symington	33	10	2 1/2
For Public Buildings annually	400	0	0
For Printing the Laws	80	0	0

Your Committee find that a Balance is now remaining in the Receiver General's hands after deducting the aforesaid disbursements of

1548 8 92

Your Committee find that the following sums remain in the Receiver General's hands of monies appropriated by Act of Parliament as hereafter set forth

For

For Roads	£731	0	0
For the Purchase of Hemp	900	0	0
For the Purchase of Hemp Seed	485	11	0
A sum voted to Support the War	500	0	0
	<hr/>		
	2616	11	0

ALSO,

For the purchase of Hemp in William Allen's hands	100	0	0
For the purchase of the Statute Laws of England in the hands of Henry Willcock-Biquin	175	0	0
	<hr/>		
	283	11	0

Your Committee find that several items are introduced in the general Account of Disbursements not authorized by the Provincial Parliament making

617 13 7

Your Committee find that out of the sum of £1000 appropriated by Act of Parliament for Roads, an advance of £250 of the same has been made to Thos. Talbot Esq. which your Committee understand has not been laid out according to the provisions of the Act.

Your Committee find that several sums have been annually returned as outstanding, which are not brought into the general Account of the Receipts and Expenditures of the Public Monies of the Province.

Your Committee find that the balance stated to be in the Receiver General's hands by the general Account of receipts and expenditures laid before the House is only

£933 9 10

All which is humbly submitted

(Signed)

WM. WEEKES,
Chairman of the Committee.

On the first of March, the Commons House of Assembly, on considering that part of the above report which states, that a sum of £617:13:7d. was paid out of the public funds without the authority of Parliament, and in violation of their rights and privileges, resolved on the following Address to the President, which Address he signified his pleasure of receiving at ten o'clock on Monday the 3d of March; and the same was accordingly presented by the whole House.

To his Honor ALEXANDER GRANT Esquire, President, Administering the Government of the Province of UPPER CANADA, &c. &c. &c.

MAY IT PLEASE YOUR HONOR,

“WE his Majesty's most dutiful and loyal Subjects the Commons of Upper Canada in Parliament assembled, have, conformably to our early assurance to your Honor, taken into consideration the Public Accounts of the Province; and have, on a due investigation of the same, to represent to you, that the first and most constitutional privilege of the Commons has been violated, in the application of monies out of the Provincial Treasury to various purposes, without the assent of Parliament, or a vote of the Commons House of Assembly.

To comment on this departure from constituted authority and fiscal establishment, must be more than painful to all who appreciate the advantages of our happy Constitution and who with their continuance to the latest posterity: but however studious we may be to refrain from stricture, we cannot suppress the mixed emotion of our relative condition.—We feel it as the representatives of a free people.—We lament it as the subjects of a beneficent Sovereign, and we hope that you, in your relation

tion to both, will more than sympathize in to extraordinary an occurrence.

We beg leave to annex hereunto a Schedule of the monies so misapplied, amounting to £617: 13s: 7d. and we trust that you will not only order this sum to be replaced in the Provincial Treasury, but will also direct that no monies be issued thereout in future, without the assent of Parliament, or a vote of the Commons House of Assembly.

Commons House of Assembly,

1st March, 1806.

SCHEDULE of Monies paid out of the Provincial Treasury in the year ending in February, 1806, without the consent of Parliament, or a vote of the Commons House of Assembly.

Mr. John Bennett, Government Printer, being the amount of his salary as Government Printer, and the rent of an Office from the 1st January to the 30th June, 1805, inclusive,

£. s. d.

Mr. Hugh M'Lean, being his half yearly allowance as Usher of the Court of King's Bench, from 1st January to 30th June, 1805, inclusive,

8 . . .

Mr. Isaac Pilkington, being his half yearly allowance, as Keeper of the Court of King's Bench, from 1st January to 30th June, 1805, inclusive,

8 . . .

Mr. John Bennett, Government Printer, being the amount of his account for printing Proclamations, Licences and

Laws of the first Session of the 4th Provincial Parliament of this Province and publications in the Gazette, &c. between the 1st January and 30th June, 1805, inclusive,

68 5 10

Wm. Jarvis Esq. Secretary of the Province, being the amount of his fees on divers public instruments, &c. between the 1st January and 30th June, 1805, inclusive,

38 4 4

Wm. Jarvis Esq. Register of the Province, being the amount of his fees on divers public instruments, &c. between the 1st January and 30th June, 1805, inclusive,

4 15 9

David Burns Esq. Clerk of the Crown and Pleas, equal to £8 sterling, being the amount of his contingent account between the 1st January and 30th June, inclusive.

8 17 9½

Thomas Scott Esq. Attorney General, equal to £32 : 4s. sterling, being the amount of his contingent account between the 1st January and 30th June, 1805, inclusive,

35 15 6½

William Samuel Currey, administrator of the estate of the late Lieutenant Governor, Peter Hunter Esquire, being the amount of fees on divers public instruments due to the said late Lieut. Gov. Peter Hunter, from the 1st January to the 30th June, 1805, inclusive,

42 0 0

Mr. John Bennett, Government Printer, being the amount of his salary as Government Printer, and the rent of an Of-

fice

fice from 1st July to the 31st December, 1805, inclusive,

50 0 0

Mr. Hugh M'Lean, being his half yearly allowance as Usher of the Court of King's Bench, from 1st July to the 31st December, 1805, inclusive,

5 0 0

Mr. Isaac Pilkington, being his half yearly allowance as Keeper of the Court of King's Bench, from the 1st July to the 31st December, 1805, inclusive,

5 0 0

Mr. John Bennett, Government Printer, being the amount of his account for printing notices, licences, money warrants, proclamations and bonds, between the 1st July and the 31st December, 1805, inclusive,

11 15 0

D'Arcy Boulton Esq. Solicitor General, equal to £ 30 : 18s. sterling, being the amount of his contingent account from the 1st July to the 31st December, 1805, inclusive,

34 6 8

Wm. Jarvis Esq. Secretary of the Province, being the amount of his fees on divers public instruments, between the 1st July and the 31st December, 1805, inclusive,

43 11 0

Wm. Saml. Currey Esq. administrator to the estate of the late Lieut. Gov. Peter Hunter Esq. being the amount of fees on divers public instruments, due to the said late Lieut. Governor Peter Hunter, from 1st July to the 31st August, 1805, inclusive,

70 0 0

Wm. Jarvis Esq. Register of the Province, being the amount of his fees on divers public instruments, between the 1st July and 31st December, 1805, inclusive 7 4 3

Wm. Allan, Esq. being the amount of fees on divers public instruments, due to Mr. President Grant, between the 11th September and the 31st December, 1805, inclusive, 34 0 0

Thomas Scott, Esq. Attorney General, equal to £86: 6s. sterling, being the amount of his contingent account between the 1st July and the 31st December, 1805, inclusive, 95 17 9½

Mr. William Smith, being for materials furnished, and repairs made to the passage of communication between the two Houses of the Legislature, 18 0 0

£617 13 7

The President was pleased to give to this Address the following Answer:—

Gentlemen of the Commons House of Assembly,

I learn with regret from your Address of the 1st of March, that a degree of dissatisfaction prevails in the Commons House of Assembly, with respect to the application of a sum of money stated to amount to six hundred and seventeen pounds thirteen shillings and seven pence. At the time of my accession to the Administration of the Government, I found that various items, similar to those in the Schedule accompanying your Address, had been charged against the Provincial Revenue, and acquiesced in for two years preceding, and I direct-

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ed the usual mode to be followed in making up the accounts which I ordered to be laid before you during the present Session. The money in question has been undoubtedly applied to purposes useful and necessary for the general concerns of the Province. As I am however desirous to give every reasonable satisfaction to the House of Assembly, I shall direct the matter to be immediately investigated, and if there has been error in stating the accounts, take measures to have it corrected and obviated for the time to come.

York, Upper Canada, 3d March, 1806.

On receiving the above answer, the Commons House of Assembly formed itself into a Committee to take the same into consideration, and resolved, that it was highly expedient to address the King's most excellent Majesty upon the subject thereof; and also of the two other Addresses respecting Military Claimants, U. E. Loyalists, and the extra Table of Fees; praying that his Majesty, in his paternal solicitude for his subjects in this Province, would take the same into his gracious consideration: but upon the question in the House, whether this report should be accepted? The House divided, and the casting voice of the Speaker negatived the same.—The principal reason assigned by many of those who voted against the Address, was, the want of time to deliberate thereon, as the Gentleman Usher of the Black Rod was then in waiting to command the attendance of the House before his Honor the President, in the Legislative Council Chamber. Upon the Commons House of Assembly attending in pursuance of this Command, the President gave his assent to several Bills, and then prorogued the Parliament with the following Speech:—

Honorable

*Honorable Gentlemen of the Legislative Council,
And Gentlemen of the House of Assembly,*

HAVING dedicated a considerable portion of your
time to the service of the Public, I think it proper to close
this session of the Legislature.

The Bills to which I have now given the Royal Assent,
contain, some of them, objects of the highest importance to
the Public.

By the opening of Roads and constructing of Bridges, while
the safety and comfort of the individual will be promoted,
the Commerce and the Riches of this Province will necessa-
rily be extended and increased.

The encouragement which you have given, for procuring
of the means necessary for communicating of useful and or-
namental Knowledge to the rising Generation, meets with
my approbation; and I have no doubt, will produce the most
salutary effects.

The other Bills which have now passed, will, I trust, effec-
tuate the beneficial purposes for which they are intended.

I dismiss you, with the pleasing hope, that the Laws en-
acted for the good of this Province, will derive additional
strength and energy from your exertions, influence and ex-
ample.

The following Bills received the Royal Assent:

An Act to make provision for certain Sheriffs in this
Province.

An Act to repeal an Act passed in the Thirty-fifth
year of his Majesty's reign, intituled, "An Act to re-
gulate the practice of Physic and Surgery."

An Act to procure certain apparatus for the promo-
tion of science.

An Act to repeal an Act passed in the forty-fourth
year

year of his Majesty's reign, intituled, "An Act for granting to his Majesty a certain sum of money out of the funds applicable to the uses of this Province, to defray the expences of amending and repairing the public Highways and Roads, and laying out and opening new Roads and building Bridges in the several Districts thereof, and to make further provision for the opening and amending the said Roads."

An Act to alter and amend an Act passed in the thirty-third year of his present Majesty's reign, intituled, "An Act to provide for the nomination and appointment of Parish and Town Officers, and also to repeal certain parts of an Act passed in the thirty-third year of his present Majesty's reign, intituled, "An Act to authorize and direct the laying and collecting of Assessments and Rates in every District in this Province, and to provide for the payment of Wages to Members of the House of Assembly."

An Act to continue an Act passed in the fortieth year of his Majesty's reign, intituled, "An Act for the better securing to his Majesty, his heirs and successors, the due collection and receipt of certain Duties therein mentioned."

An Act for applying a certain sum of Money therein mentioned, to make good certain Monies issued and advanced by his Majesty through the Lieutenant Governor, in pursuance of several Addresses.

Five Bills passed the Commons House of Assembly, and were *lost in the Legislative Council*, of which the following is the substance:—

1. A Bill to admit the affirmation of Quakers, Mennonists and Tunkers, to be received as testimony in Courts of Civil Jurisdiction and in other cases, and to enable

enable them, on taking such affirmation, to serve on Juries with certain restrictions, and also to serve as Parish and Town Officers.

2. A Bill to tolerate persons of the religious sect called Methodists, to celebrate Marriages and perform other rites, according to the Ceremony of their Sectary.

3. A Bill to enable the East Riding of York, and the Counties of Durham and Simcoe to return two Members to Parliament, and to enable Persons having Freeholds, after three years residence in the Province, to vote at any future Election.

4. A Bill to establish four Schools in each District, for the Education of Youth.

5. A Bill to enable the Inhabitants of the District of Johnstown to build a Gaol and Court House in a central part of the District.

The following Bill was reserved for his Majesty's Assent :

A Bill to enable persons obtaining Judgment in Civil Cases, to levy the Costs after Judgment.

A particular Statement of Items contained in the Schedule of Monies paid out of the Provincial Treasury in the year 1806, referred to in the last Address of the Commons to his Honor the President, as laid before the Committee of the House by the Inspector General.

Dr. Government to his Excellency Lieut. Governor Hunter for Fees on divers Public Instruments fitted by him between the first day of January and the 31st day of June, 1805.

1805.		£. s. d.
Jany. 31.	To Fees on a Dedimus Potestatem to William Jarvis and Donald MacLean Esquires, to administer the Oath to the Members of the House of Assembly P. S.	1 10 0
	To Fees on a Dedimus Potestatem to William Jarvis Esquire, to administer the Oath to the Members of the Legislative Council P. S.	1 10 0
Feb. 5.	To Fees on a Writ of Election for the County of Durham, the East Riding of the County of York and the County of Simcoe G. S.	3 10 0
	To Fees on a Warrant appointing of a Returning Officer for the above Counties P. S.	1 10 0
	To Fees on a Writ of Election for the Counties of Stormont and Russell G. S.	3 10 0
	To Fees on a Warrant appointing of a Returning Officer for the above Counties P. S.	1 10 0
9.	To Fees on a Proclamation offering a Reward for the apprehension of the person or persons who fired into the House of Benajah Mallory of the District of London, Esquire P. S.	1 10 0
Mar. 19.	To Fees on a Commission of Oyer and Terminer for the Home District G. S.	3 10 0
	To Fees on a Dedimus Potestatem P. S.	1 10 0
	To Fees on a Commission of Assize and Nisi Prius for the Home District G. S.	3 10 0
28.	To Fees on the Great Seal to the Acts of the last Session of the Provincial Parliament	3 10 0
April 2.	To Fees on a Proclamation Proroguing the Parliament from the 8th of April to the 15th of May, G. S.	3 10 0
21.	To Fees on a Commission appointing Commissioners to afford relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devisees of the Nominees of the Crown G. S.	3 10 0
	To Fees on a Proclamation warning such person or persons who do possess and occupy Lands within this Province, without any Licence, Title or Right whatever derived from the Crown having ever been obtained for such Lands, forthwith to quit and remove from the same P. S.	1 10 0

Brought forward

May 10.	To Fees on a Proclamation Proroguing the Parliament from the 15th May to the 21st June	3 10 0
June 14.	To Fees on a Proclamation proroguing the Parliament from the 21st June to the 29th July	3 10 0
Provincial Currency		<u>£42 9 9</u>

Errors Excepted.

(Signed) Wm. JARVIS, Sec'y.

William Jarvis Esquire, Secretary of the Province of Upper Canada, maketh oath that the Account in this sheet contained, amounting to the sum of forty-two pounds Provincial currency, is just and true to the best of his knowledge and belief.

(Signed) Wm. JARVIS, Sec'y.

Sworn before me this twenty-fifth day of July, 1805.

(Signed) Wm. DUMMER POWELL, J.

Audited and Approved in Council,

6th August, 1805.

(Signed) PETER RUSSELL,
Presiding Countellor.

(Examined.)

(Signed) JOHN M'GILL,
Inspr. Genl. P. P. Accts.

(A true Copy.)

JOHN M'GILL,
Inspr. Genl. P. P. Accts.

Dr. Government to his Excellency Lieut. Governor Hunter, for Fees on divers Public Instruments signed by him between the 1st day of July and the 31st day of August, 1805.

1805.		£	s.	d.
July 15.	To Fees on 7 Commissions of Oyer and Terminer, at 3l. 10s. each, Great Seal,	24	10	0
	To Fees on 7 Dedimus Potestatem, at 1l. 10s. each, P. S.	10	10	0
	To Fees on 8 Commissions of Affidavit & Nisi Prius at 3l. 10s. G. S.	28	0	0
26	To Fees on a Proclamation proroguing the Parliament from 29th July to the 6th of September	3	10	0
Aug. 30.	To Fees on a Proclamation proroguing the Parliament from the 6th September to the 15th of October, G. S.	3	10	0
Provincial Currency		<u>£</u>	<u>70</u>	<u>0 0</u>

Errors Excepted.

(Signed) Wm. JARVIS, Sec'y.

Dr William Jarvis Esquire, Secretary of the Province of Upper Canada, maketh Oath that the account in this Sheet contained, amounting to the sum of seventy pounds Provincial Currency, is just and true to the best of his knowledge and belief. (Signed) Wm. JARVIS, Sec'y.

Sworn before me this thirteenth

day of January, 1806.

(Signed) Wm. DUMMER POWELL, J.

Audited and Approved in Council,
29th January, 1806.

(Signed)

PETER RUSSELL,
Presiding Counsellor.

(Examined.)

(Signed) JOHN M'GILL,

Inspr: Gen. P. P. Accts.

(A true Copy.)

JOHN M'GILL,

Inspr: Gen. P. P. Accts.

The GOVERNMENT of UPPER CANADA Dr.
To THOMAS SCOTT, Attorney General.

1805.

Sterling.

July 16.	To Commissions of Oyer and Terminer and General Gaol Delivery for eight Districts, at 1l. 16s. each	14 8 0
	To Commissions of Assize and Nisi Prius for eight Districts, at 1l. 16s. each	14 8 0
26.	To Proclamation for proroguing the Parliament from 26th July to 6th September	1 16 0
	Niagara Assize.—The King against Asa Bacon for Trespass.	
August	To examining of witnesses	1 1 0
	To perusing Depositions	1 1 0
	To drawing the Indictment	2 0 0
	To conducting the Trial	2 2 0
	The King against Lewis Bastedier for Trespass.	
	To examining of Witnesses	1 1 0
	To perusing Depositions	1 1 0
	To drawing the Indictment	2 0 0
	The King against Asa Bacon for Seditious Words.	
	To examining of witnesses	1 1 0
	To perusing Depositions	1 1 0
	To drawing the Indictments	2 0 0
	To conducting the Trial	2 2 0
	To motion for Judgment	1 1 0
	The King against Peter Hopkins for Trespasses.	
	To examining of Witnesses	1 1 0
	To perusing Depositions	1 1 0
	To drawing the Indictment	2 0 0
	To conducting the Trial	2 2 0
August 30.	To Proclamation for proroguing the Parliament from the 6th of September to the 15th of October	1 16 0

Brought forward

Sept. 17.	To Proclamation for proroguing the Parliament from the 17th September to the 15th October (the Proclamation for proroguing the Parliament from the 6th September to the 15th October, having issued after the death of Lieutenant Governor Hunter at Quebec)	1	16	0
	To Proclamation confirming Officers in their respective situations	1	16	0
October 10.	To opinion to Inspector General respecting the seizing of Stills	1	16	0
	To draft of a Bond entered into by Geo. Lutz, for money due by him for using of Stills	1	1	0
11.	To Proclamation for proroguing the Parliament from the 15th October to the 21st November	1	16	0
Home Sittings.	—The King against Orton, Chesney and others for a riot.			
October 20.	To examining of Witnesses	1	1	0
	To perusing Depositions	1	1	0
	To drawing the Indictment	2	0	0
	To conducting the Trial	2	2	0
	The King against Fountain for Felony.			
	To examining of Witnesses	1	1	0
	To perusing Depositions	1	1	0
	To drawing the Indictment	2	0	0
	The King against Hale for profane Words.			
	To examining the Witnesses	1	1	0
	To perusing the Depositions	1	1	0
	To drawing the Indictments	2	0	0
	To conducting the trial	2	2	0
Nov. 11.	To Proclamation for proroguing the Parliament from 21st November to the 30th December	1	16	0
Dec. 26.	To Proclamation for proroguing the Parliament from the 30th of December to the first of February	1	16	0
27.	To Commission under the Act of Parliament to afford relief to persons who may be entitled to claim Lands as heirs or devisees of the nominees of the Crown	1	16	0
		<hr/> £ 86 6 0 <hr/>		

(Signed)

THOMAS SCOTT, Atty. Gen.

Thomas Scott, Attorney General of the Province of Upper Canada, maketh oath, and saith, that the above Account amounting to eighty six pounds six shillings sterling, is just and true to the best of his knowledge and belief.

(Signed)

THOMAS SCOTT, Atty. General.

Sworn before me at York in Upper Canada, the seventh day of January, one thousand eight hundred and six.

(Signed) Wm. DUMMER POWELL, J.

Audited and approved in Council,
29th January, 1836.

(Signed)

PETER RUSSELL,
Presiding Counsellor.

(Examined.)

(Examined)
(Signed) JOHN M'GILL,
Inspr. Genl. P. P. Accts.

(A true Copy.)

JOHN M'GILL,
Inspr. Gen. P. P. Accts.

The GOVERNMENT of UPPER CANADA,
To THOMAS SCOTT, Attorney General.

		Sterling.
1805.		
February 5.	To Fiat for Writ of Election for the Counties of Stormont and Russell	1 16 0
	To Fiat for Writ of Election for the Counties of Durham and Simcoe, and the East Riding of the County of York	1 16 0
	To Draft of Special Commissions under the Lieut. Governor's Seal at Arms for Returning Officers for holding said Elections	1 1 0
10.	To Fiat for Proclamation respecting an attack on the House of Bennjah Mallory	1 16 0
Newcastle	The King against Ogden for Trespass	
Assizes.	To Examining Witnesses	1 1 0
March 5.	To Perusing Depositions	1 1 0
	To drawing the Indictment	2 0 0
	To Conducting the Trial	2 2 0
	To moving for Judgment	1 1 0
	The King against Fuller for Seditious words.	
	To examining the Witnesses	1 1 0
	To drawing the Indictment	2 0 0
	To Mr. Thomas Ward Attorney, for assisting in the Prosecutions for the Crown at the Newcastle Assizes as per receipt	1 16 0
April 8.	To Draft of a Commission under the Lieutenant Governor's Seal at Arms for Inspectors of Beef & Pork	1 1 0
	To Fiat for Proclamation for prorogation of the Provincial Parliament from the 8th April to the 15th May	1 16 0
11.	To Fiat for Proclamation respecting Persons who occupy Lands without title derived from the Crown	1 16 0
	To Fiat for Commission under the Act for affording relief to the heirs or devisees of the nominees of the Crown to Lands in this Province	1 16 0
May 11.	To Fiat for Proclamation for Prorogation of the Provincial Parliament from 15th May to 21st June	1 16 0
June 14.	To Fiat for Proclamation for Prorogation of the Provincial Parliament from the 21st June to the 29th July	1 16 0
	To Fiat for Commission of Assize and Nisi Prius for the Home District	1 16 0
	To Fiat for Commission of Oyer and Terminer and Gaol Delivery for Home District	1 16 0

£32 4 0

(Signed) THOMAS SCOTT Atty. Genl.
Thomas

Thomas Scott Attorney General of Upper Canada maketh Oath and faith, that the annexed Account, amounting to Thirty-two pounds four shillings Sterling, is just and true to the best of his knowledge and belief.

(Signed) THOMAS SCOTT Atty. Genl.

Sworn before me at York this twenty-sixth day of August one thousand eight hundred and five.

[Signed] Wm. DUMMER POWELL. J.

Audited and approved in Council,
29th August, 1805.

[Signed]

PETER RUSSELL,
Presiding Counsellor.

(Examined.)

(Signed) JOHN M'GILL,
Inspr. Genl. P. P. Accts.

[A true Copy.]

JOHN M GILL,
Inspr. Genl. P. P. Accts.

Dr. Government to his Honor Mr. President Grant, for Fees on divers Public Instruments, signed by him between the 11th day of September and the 31st day of December, 1805.

1805.

£ s. d.

Sept. 11.	To Fees on a Proclamation confirming all Officers in their respective situations throughout the Province, P. S.	1 10 0
17.	To Fees on a Proclamation proroguing the Parliament from the 17th of Sept. to the 15th of October, the Proclamation of the 30th of August last for proroguing the Parliament from the 6th of Sept. to the 15th of October, having issued after the death of Lieutenant Governor Hunter at Quebec, Great Seal	3 10 0
Oct. 8.	To Fees on a Commission of Oyer and Terminer for the Home District, Great Seal	3 10 0
	To Fees on a Dedimus Potestatem for the Home District, P. S.	1 10 0
11.	To Fees on a Proclamation proroguing the Parliament from the 15th of Oct. to the 21st of Nov. Great Seal	3 10 0
Nov 14.	To Fees on a Proclamation proroguing the Parliament from the 21st of Nov. to the 30th of Dec. Great Seal	3 10 0
Dec. 26.	To Fees on a Proclamation proroguing the Parliament from the 30th of Dec. to the 1st of Feb. 1806, for the actual Dispatch of Public Business, Great Seal	3 10 0
	To the Fees on a Commission appointing Commissioners to afford relief to those persons who may claim Lands as the heirs or devisees of the nominees of the Crown, G. S.	3 10 0

Provincial Currency £ 24 0 0

Errors Excepted.

(Signed)

Wm. JARVIS, Sec'y.

William Jarvis Esquire, Secretary of the Province of Upper Canada maketh Oath that the Account in this free contained, amounting to the sum of Twenty four pounds Provincial currency, is just and true to the best of his knowledge and belief.

(Signed)

Wm. JARVIS, Sec'y.

At Chambers in York, Upper Canada,

Sworn before me this twenty-seventh day
of January, 1806.

(Signed)

ROBT. THORPE, J.

Audited and Approved in Council,
29th January, 1806.

(Signed)

PETER RUSSELL,
Presiding Counsellor.

(Examined.)

(Signed)

JOHN M'GILL,

Inspr. Genl. P. P. Accts.

(A true Copy.)

JOHN M'GILL,

Inspr. Genl. P. P. Accts.

Dr. Government to William Jarvis Esquire, Register of the Province of Upper Canada, for Fees on divers Public Instruments from the 1st day of July to the 31st day of December, 1805.

		£	s.	d.
1805.				
July 15.	To Registering 7 Commissions of Oyer and Terminer 930 words each, at 1s. per 100	3	4	9
	To Registering 7 Dedimus Potestatem at 2s. 3d. each	0	15	9
	To Registering 8 Commissions of Assize and Nisi Prius 330 words each, at 1s. per 100	1	6	0
26.	To Registering a Proclamation proroguing the Parliament from the 29th of July to the 6th of Sept. 314 words	0	3	0
August 30.	To Registering a Proclamation proroguing the Parliament from the 6th of Sept. to the 15th Oct. 314 words	0	3	0
Sept. 17.	To Registering a Proclamation confirming all Officers in their respective Situations throughout the Province, 175 words	0	1	9
	To Registering a Proclamation proroguing the Parliament from the 17th of September to the 15th of October, the Proclamation of the 30th of August last for proroguing the Parliament from the 6th of September to the 15th of October, having issued after the death of Lieutenant Governor Hunter at Quebec, 230 words	0	2	3
Oct. 8.	To Registering a Commission of Oyer and Terminer for the Home District, 930 words at 1s. per 100	0	9	3
	To Registering a Dedimus Potestatem, Home District	0	2	3

Carried forward

Brought forward

xx. To Registering a Proclamation proroguing the Parliament from the 15th of Oct. to the 21st of Nov. 314 words	0 1 0
Nov. 14. To Registering a Proclamation proroguing the Parliament from the 21st of Nov. to the 30th of Dec. 314 words	0 3 0
Dec. 26. To Registering a Proclamation proroguing the Parliament from the 30th of Dec. to the 1st of Feb. 1806, for the actual Dispatch of Public Business, 314 words	0 3 0
To Registering a Commission appointing Commissioners to afford relief to those persons who may claim Lands as the heirs or devisees of the nominees of the Crown, 737 words	0 7 8

Provincial Currency £ 7 4 3

Errors Excepted.

(Signed) Wm. JARVIS, Sec'y.
William Jarvis Esquire, Register of the Province of Upper Canada, maketh oath, that the Account in this Sheet contained, amounting to the sum of seven pounds four shillings and three pence, Provincial Currency, is just and true to the best of his knowledge and belief.

(Signed) Wm. JARVIS, Sec'y.
Sworn before me this thirteenth day of January, 1806.

(Signed) Wm. DUMMER POWELL, J.

Audited and Approved in Council,
29th January, 1806.

(Signed) PETER RUSSELL,
Presiding Counsellor.

(Examined.)
(Signed) JOHN M'GILL,
Inspr. Genl. P. P. Accts.

(A true Copy.)
JOHN M'GILL,
Inspr. Genl. P. P. Accts.

YORK, Upper Canada, 24th Decr. 1805.

The GOVERNMENT of UPPER CANADA,

1805.

To John Bennett, Govt. Pr.

Jan. 8. Printing 200 Notices relative to the payment of the second moiety of Fees on Land $\frac{1}{4}$ sheet demy dble. pica type	0 13 10
Sept. 19. 300 Still Licences $\frac{1}{4}$ sheet foolscap pica type	0 16 6
300 Shop Licences $\frac{1}{4}$ sheet do do.	0 16 6
300 Tavern Licences $\frac{1}{4}$ sheet do do.	0 16 6
Octr. 2. 100 Copies Money Warrants, 1 sheet foolscap pica type	2 3 4
800 Proclamations confirming all His Majesty's Officers &c. in their several appointments $\frac{1}{2}$ sheet demy dble. pica type	4 1 8

Carried forward

Brought forward

Decr. 13. 200 blank Bonds for the Bonds of the Crown Reserves half
1 sheet foolscap, dble. pica, 1 2 4
200 do. do. Clergy Reserves half sheet foolscap dble. pica type 1 2 4

Halifax Currency £ 11 15 0

Amounting to Eleven pounds fifteen shillings Halifax Cy.
Errors Excepted.

(Signed) JOHN BENNETT.

John Bennett of the Town of York, in the Home District,
maketh Oath and faith, that the foregoing Account, amount-
ing to Eleven pounds fifteen shillings Halifax Currency, is
just and true in its particulars, to the best of his know-
ledge and belief. (Signed) JOHN BENNETT.

Sworn before me at York, this
26th day of December, 1805.
(Signed) ROBT. THORPE, J.

Audited and approved in Council,
9th January, 1806.

(Signed) PETER RUSSELL,
Presiding Counsellor.

(Examined.)

(Signed) JOHN M'GILL,
Inspr. Genl. P. P. Accts.

(A true Copy.)

JOHN M'GILL,
Inspr. Genl. P. P. Accts.

York, Upper Canada, 24th June, 1805.

The GOVERNMENT of UPPER CANADA,

1805.

To John Bennett, Govt. Pr.

Jan. 21. 300 Copies Still Licences 1 sheet foolscap, pica type 0 16 6
March 30. Printing 20 Copies of an Act for altering the time of is-
suing Licences for keeping of a House of public Enter-
tainment, 1 sheet demy, pica type 0 3 4
April 5. Inserting a Notice to persons taking out Shop, Still, or
Tavern Licences 6 weeks in the Gazette, equal to 4½
advertisements 1 16 0
16. 1000 copies of Proclamation warning persons that possess
and occupy Lands in this Province, without due titles
having been obtained for such Lands, forthwith to quit
and remove from the same, 1 sheet demy, dble. pica
type 4 18 4

E

Carried forward

Brought forward

12. 100 copies of an Act to afford relief to persons entitled to claim Land in this Province as heirs or devisees of the nominees of the Crown, one sheet demy, pica type	31. 6s. 3d.	3 11 8
Printing Marginal Notes to do.	0 5 0	
May 14. Printing 1500 copies of the Acts of the first Session of the fourth Provincial Parliament, 3 sheets demy pica type	451. 0s. 0d.	
Marginal Notes to do. at 3s. per sheet	0 15 0	52 0 0
Folding, stitching and covering in blue paper at 1d.	6 3 0	

Halifax Currency £ 63 5 10

Amounting to sixty-three pounds five shillings and ten Pence Halifax Currency.

Errors Excepted.

(Signed) JOHN BENNETT.

John Bennett of the Town of York, in the Home District, maketh Oath and faith, that the foregoing Account, amounting to sixty-three pounds five shillings and ten pence Halifax Currency, is just and true in all its particulars, to the best of his knowledge and belief.

(Signed) JOHN BENNETT.

Sworn before me at York, this
20th day of July, 1805.

(Signed) Wm. DUMMER POWELL J.

Audited and approved in Council,
6th August, 1805.

(Signed) PETER RUSSELL.

Presiding Counsellor.

(Examined)

(Signed) JOHN M'GILL
Inspr. Genl. P. P. Accts.

(A true Copy.)

JOHN M'GILL,

Inspr. Genl. P. P. Accts.